



Department of Energy

Washington, DC 20585

OCT 5 1998

Paducah Site Specific Advisory Board
Paducah Information Age Park Resource Center
2000 McCracken Blvd
Paducah, KY 42001

Dear Board Members:

Thank you for your May 22, 1998, letter commenting on the Department of Energy's (DOE's) February draft of *Accelerating Cleanup: Paths to Closure* (*Paths to Closure*). The Office of Environmental Management (EM) is committed to involving stakeholders, Tribal Nations, and regulators in its strategy and decision-making processes. EM attempted to address a number of your questions and concerns in the initial version of *Paths to Closure*, released in June of this year, and welcomes this opportunity to respond to your organization's comments in more detail regarding the EM cleanup program. When possible, we have referenced the sections and page numbers in the report where you will find related information.

Your letter included three comments on issues important to the EM mission. Your first two comments—one pertaining to landfill remediation and the other pertaining to the use of risk-based cleanup standards for PCBs—are site-specific in nature and have been responded to in a separate letter from the Oak Ridge Operations Office. This letter responds to your organization's third comment—that *Paths to Closure* is a funding plan which does not adequately address Paducah's long-term needs. Your organization also requested that DOE provide a thorough explanation as to why *Paths to Closure* does not qualify as a "major federal action" under the National Environmental Policy Act (NEPA).

We respectfully disagree with your assertion that *Paths to Closure* is a funding plan. Although *Paths to Closure* does in fact relate life-cycle costs to funding projections, it is neither a funding plan nor a decision-making document. Rather, *Paths to Closure* should be viewed as a management tool that reflects individual sites' best judgment as to what can be accomplished assuming a constant funding level over time. As such, the document helps EM to formulate annual budget priorities and goals with respect to estimated life-cycle cleanup costs and schedules. *Paths to Closure* also provides a "snapshot in time" of the EM program that we plan to update annually to reflect changes that occurred during the course of the year. Further discussion of this issue is provided in Section 1.1 of the document.



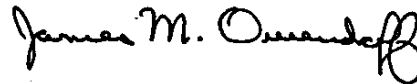
With respect to Paducah's long-term needs, *Paths to Closure* is a high-level document designed to educate the public and Congress by providing an overview of EM's cleanup mission, ongoing issues, vision, and accomplishments. This report discusses the entire scope of the EM program, and as such, does not discuss each site in detail. However, one of the significant achievements of the *Paths to Closure* effort has been EM's progress in dividing the entire scope of cleanup work into discreet projects. The long-term needs for each site are built upon a "foundation" of detailed baselines, which represent the sites' best estimates of life-cycle cost, scope, and schedule for each of their projects. The summation of all project baseline life-cycle costs for the Paducah Gaseous Diffusion Plant is provided on page 2-15 of the June 1998, report. More detailed information on the baselines for each project at Paducah is presented in the Project Baseline Summaries (PBSs) for this site, which can be accessed on the Internet at <http://www.em.doe.gov/closure/pbs>.

EM respectfully disagrees with your assertion that *Paths to Closure* is a "major federal action" subject to NEPA. *Paths to Closure* reports on the estimated life-cycle costs, work scope, and schedules of projects for which cleanup or other decisions have been or will be made under NEPA or other statutes such as the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). If such decisions have not yet been made, *Paths to Closure* conveys assumptions, not decisions, about those projects. As stated in Section 1.3, "... assumptions about specific projects do not bias decisions that will be made about those projects, nor do they eliminate or restrict alternative approaches or opportunities for public involvement in the decision-making process." So although the NEPA process is an integral part of EM's program planning, we do not consider *Paths to Closure* itself to be a decision-making document subject to NEPA.

During the public comment period, EM received over 500 comments on the draft *Paths to Closure* from 37 different stakeholders and 2 Tribal Nations. (These comments were in addition to about 170 letters from stakeholders, Tribal Nations, and regulators commenting on the *Discussion Draft*, which was released in June of 1997.) In addressing all of these comments, EM attempted to balance perspectives that are sometimes in conflict. Although we may not have addressed all comments to your satisfaction, we appreciate your input and encourage your continued participation in the *Paths to Closure* process. Your comments have been helpful to us in better detailing *Paths to Closure* as a blueprint for managing the EM cleanup program.

Thank you once again for your comments on *Paths to Closure*. If you have additional comments or concerns, please feel free to contact Martha Crosland, Acting Director for the EM Office of Intergovernmental and Public Accountability, at 202-586-5944.

Sincerely,

A handwritten signature in black ink, reading "James M. Owendoff". The signature is written in a cursive style with a large, stylized "O" and "B" at the end.

James M. Owendoff
Acting Assistant Secretary for
Environmental Management